

FILED

**BEFORE THE
ENVIRONMENTAL QUALITY COUNCIL
STATE OF WYOMING**

AUG 18 2006

Terri A. Lorenzon, Director
Environmental Quality Council

IN THE MATTER OF THE APPEAL)
OF 4W RANCH, OBJECTION)
NPDES PERMITS NOS.) Docket No. 04-3801
WY0051217, WY0051233 &)
WY0051373)

PREHEARING MEMORANDUM OF BILL BARRETT CORPORATION

Bill Barrett Corporation (“BBC”) submits this prehearing memorandum pursuant to the Environmental Quality Council’s (the “Council”) Amended Notice of Hearing and Order dated June 28, 2006.

I. Factual Background and Procedural Posture

BBC operates coalbed methane (“CBM”) wells in Wyoming. BBC has been issued National Pollution Discharge Elimination System (“NPDES”) permits by the Wyoming Department of Environmental Quality (“DEQ”) for the discharge of groundwater from its CBM operations. Two of those permits (Permit Nos. WY0051217 and WY0051233), along with a third permit held by Merit Energy (WY0051373), are subject to the current appeal. The following discussion relates solely to the permits issued to BBC.

On January 15, 2004, the DEQ issued notice that it intended to grant CBM produced water discharge permits to BBC, finding “The proposed permits contain limitations and conditions that will assure that the state’s surface water quality will be protected and fulfill the requirements of Section 402 and 303 of the federal Clean Water Act.” Public Notice, at 1 (Jan. 15, 2004), BBC Exhibit 4. The DEQ invited the public to comment on the proposed permits in writing

by February 17, 2004. On February 17, 2004, the Wyoming Outdoor Council submitted comments, specifically objecting to the BBC permits for what the Wyoming Outdoor Council characterized as excessive flow, Sodium Absorption Ratio ("SAR"), and Electrical Conductivity ("EC") or Specific Conductance limits. On March 6, 2004, Major Robert L. Harshbarger, operator of the 4W Ranch, submitted his comments on the proposed permit, citing concerns that the permit, in conjunction with others issued in the Cheyenne River drainage, would violate Wyoming Water Quality Rules and Regulations, Chapter 1, Section 20 for the protection of agricultural uses; Chapter 1, Section 8(a) regulating new sources; Chapter 1 "esthetic [sic] degradation" standards; and would injure private property rights, including water rights issued to the 4W Ranch.

On April 5, 2004, the discharge permits at issue were granted to BBC. A SAR limit of 10, an EC limit of 2000 micromhos/cm, and a pH limit of 6.5-8.5 were imposed. Permit No. WY0051217 ("Palm Tree Project") imposed a discharge limit of 4.4 million gallons per day ("MGD"), and Permit No. WY0051233 ("Big Porcupine Project") imposed a limit of 3.4 MGD.

On April 6, 2004, DEQ sent response letters to the comments of the Wyoming Outdoor Council and Mr. Harshbarger. In response to the comments of the Wyoming Outdoor Council, DEQ noted that the proposed outfall locations for BBC's permits were at least 26 miles upstream of and would likely not reach the Cheyenne River except during storm events. Nevertheless, DEQ reduced the flow limits associated with WY0051217 and WY0051233 to 4.4 and 3.4 MGD, respectively. DEQ also noted that some of the effluent limits imposed on the permits were overly protective and set to comply with Class 2 water quality

standards, even though the water would be discharged to a Class 3 channel. Further, the DEQ stated, "The SAR and specific conductance (SC) limits established in these permits are consistent with the limits for the Cheyenne River Basin that have been determined to be protective of Section 20 of Chapter 1" DEQ Response Letter to Wyoming Outdoor Council, at 3, BBC Exhibit 5. Though Mr. Harshbarger's comments were submitted late, DEQ also responded to Mr. Harshbarger on April 6, 2004, indicating that DEQ had reviewed Mr. Harshbarger's comments, but had determined that the permits should issue.

On June 2, 2004, Major Robert L. Harshbarger and Jean Sherwin Harshbarger (the "Harshbargers"), appealed the issuance of Permit Nos. WY0051217 and WY0051233, raising the same issues as in their original comments. The Harshbargers, however, did not pursue the appeal and BBC began discharging under the permits in September and December of 2004. The Wyoming Outdoor Council also appealed the permits but reached a settlement with BBC in April of 2006. The Harshbargers have refused an offer of settlement.

BBC has been discharging water under the Palm Tree Project and Big Porcupine Project NPDES discharge permits for nearly two years. Water discharged under the Palm Tree Project permit flows into Pine Tree Draw, Ninemile Creek, Simmons Draw, and unnamed ephemeral tributaries, all tributary to Antelope Creek. Mr. Jerry Moore, a rancher in Campbell County, uses water from the Palm Tree Project in a center pivot irrigation system. No water from the Palm Tree Project leaves the Moore property or the boundary of

the Palm Tree Project Plan of Development, the border of which is approximately 69 stream miles upstream from the 4W Ranch. Water discharged under the Big Porcupine Project permit discharges into Porcupine Creek, Boss Draw, and unnamed ephemeral tributaries, all tributary to Antelope Creek. All outfalls are upstream of the Antelope Coal Mine where the discharge is collected in large mine collection reservoirs and used by the mine for dust suppression and other mine operations. Water discharged under both permits has not reached, and will likely never reach, the 4W Ranch.

II. Legal Issues for Review

The following basic issue must be determined by the Council:

Are Permit Nos. WY0051217 and WY0051233 protective of agricultural uses on the 4W Ranch, in compliance with Chapter 1, Section 20?

Additional issues raised in the Harshbargers' appeal letter include, whether the permits violate Chapter 1, Section 8(a) for the protection of existing uses from new sources of pollution, whether the permits violate Chapter 1 "esthetic [sic] degradation" standards, whether the permits injure existing property rights, and whether the permits damage the water rights of the 4W Ranch.

There is no evidence that water discharged under the Palm Tree Project and Big Porcupine Project discharge permits reaches the 4W Ranch. Even if it did, the permit limits are protective of the agricultural uses on the 4W Ranch, including alfalfa in the Unk's Pasture, which is the primary 4W Ranch crop. Water quality information collected by the United States Geological Survey at Dull Center, at the confluence of Antelope Creek and the Cheyenne River, below BBC outfalls and above the 4W Ranch, confirms that background levels of EC

are generally higher than those imposed by the permit limits, demonstrating that the addition of CBM water to the drainage, if it had any effect, would likely offer a net benefit to the system.

Further, if discharge under the Palm Tree Project and Big Porcupine Project permits were ever to reach the 4W Ranch, it would be during a major storm, which would provide significant mixing and dilute any CBM water to well below acceptable limits. Mr. Harshbarger estimates that 137 cfs of water must be in the Cheyenne River for it to overtop the channel and be diverted to his fields. Deposition of Mr. Harshbarger at 86, 137. Based on current rates of discharge from the Palm Tree Project and Big Porcupine Project, of approximately 0.27 cfs and 0.23 cfs, respectively, even if BBC's CBM water were in the Cheyenne River during high flow events, a mixing ratio of approximately 1:273 would be required before water would be diverted to the Unk's Pasture.

The Harshbargers have admitted that they have no evidence that BBC has violated the limits set by DEQ in the NPDES permits. *Id.* at 118. The Harshbargers have no specific issue or claim with respect to BBC's discharges. *Id.* at 124. Rather, the Harshbargers wish only to voice their concerns of potential future harms from continuing CBM development to the Council. *Id.* at 117, 123-124. The Harshbargers' concerns are global and involve more than the permits subject to this appeal. BBC's permits were arbitrarily chosen as a vehicle for this appeal, and there is no reason BBC's permits should be revoked or modified when there is no evidence that BBC discharges contributed to any negative impact on agricultural uses at the 4W Ranch. *Id.* at 124-125. The

Harshbargers have no evidence that discharge under these permits has or will have an impact on their agricultural production or their property rights.

BBC respectfully requests that the Council find that the permit limits for Permit Nos. WY0051217 and WY0051233 are protective of agricultural uses, that they do not violate Wyoming's Water Quality Rules and Regulations, and that they are protective of existing property rights. BBC requests that the Harshbargers' appeal be dismissed without revocation or modification of Permit Nos. WY0051217 and WY0051233.

III. Witnesses

1. Paul McElvery, Bill Barrett Corporation, 1901 Energy Ct., Suite 170, Gillette, Wyoming 82718, (307) 685-4322 extension 14.

Mr. McElvery will testify to the factual history of the Palm Tree Project and Big Porcupine Projects, including the NPDES permits. Mr. McElvery will describe how discharges under the permits are managed. He will explain that discharge from the Palm Tree Project is used by Mr. Jerry Moore for irrigation and that the portion of the water that is unused does not flow beyond the boundary of BBC's Plan of Development area for the Palm Tree Project, 69 stream miles upstream from the 4W Ranch. He will explain that discharge from the Big Porcupine Project flows into reservoirs above the North Antelope Mine and that no water flows below the mine. He will describe how the mine contains and uses the water for dust suppression and other mine functions. Mr. McElvery may also testify to his understanding of permit limitations that are protective of various agricultural uses and present evidence of the background levels of SAR, EC, and pH as measured by the United States Geological Survey at the Dull

Center. He may also testify regarding the rate of flow from the Palm Tree and Big Porcupine Project compared to the flow rate necessary for diversion of water onto the Unk's Pasture at the 4W Ranch.

2. Jerry W. Moore, President, Ninemile Land Company, 4095 Ross Rd., Douglas, Wyoming 82633, (307) 358-2358.

Mr. Moore may testify regarding his use of water discharged under the Palm Tree Project permit. Mr. Moore may testify that he uses water discharged under the permit in a 105-acre center pivot irrigation system. He may also testify that since BBC's discharge began, he has never observed surface flows move beyond his home, which is approximately 69 stream miles upstream from the 4W Ranch.

IV. Exhibits

BBC may introduce at the hearing the following exhibits, which (except for the permits in issue to which the parties have stipulated) are provided to all parties with this prehearing memorandum:

1. Permit No. WY0051217 (April 5, 2004).
2. Permit No. WY0051233 (April 5, 2004).
3. Map of Cheyenne River Drainage locating points of discharge under Permit Nos. WY0051217 and WY0051233 in relation to the 4W Ranch.
4. DEQ Public Notice of Proposed Discharge Permits (Jan. 15, 2004).
5. DEQ Response Letter to Wyoming Outdoor Council (April 6, 2004).
6. Flow data for the discharge under Permit Nos. WY0051217 and WY0051233 and graphical representation of flow data.

7. Historical United States Geological Survey Dull Center water quality and flow data.

In addition to the documents listed above, BBC reserves the right to use any additional exhibits it deems necessary, including documents listed on other parties' exhibit lists, and any documents necessary for foundation, cross-examination or rebuttal.

V. Motions

Concurrent with the filing of this Prehearing Memorandum, BBC has filed a Motion for Summary Judgment. There are no material facts in dispute in this case as the Harshbargers have admitted that discharge from Permit Nos. WY0051217 and WY0051233 has yet to impact their property, let alone cause a "measurable decrease" in crop or livestock production as alleged in the Harshbargers' appeal. As set forth in the Motion, BBC requests that the Council grant summary judgment to BBC on the appeal.

DATED August 18, 2006.



Hadassah Reimer
Jack D. Palma
HOLLAND & HART, LLP
2515 Warren Ave., Suite 450
Cheyenne, WY 82001
(307) 778-4200
(307) 778-8175 (fax)

Attorneys for Permittee Bill Barrett
Corporation

CERTIFICATE OF SERVICE


I certify that on August 18, 2006, a copy of the foregoing document was filed with the Environmental Quality Council, and served on the following by:

- U.S. Mail, postage prepaid
- Hand Delivery
- Fax
- Electronic Service by LexisNexis File & Serve

Michael Barrash
Senior Assistant Attorney General
DEQ/Water Quality Division
123 Capitol Building
Cheyenne, WY 82002

Robert L. Harshbarger
Jean Sherwin Harshbarger
4W Ranch, 1162 Lynch Road
Newcastle, WY 82701

John Sundahl
Sundahl, Powers, Kapp & Martin
1725 Carey Avenue
P.O. Box 328
Cheyenne, WY 82003-0328



Exhibit

3

(Channel Summary from WY0051217 & WY0051233 to the
4W Ranch is too large to scan)

Exhibit

4



Dave Freudenthal
GOVERNOR

Department of Environmental Quality

Herschler Building • 122 West 25th Street • Cheyenne, Wyoming 82002

ADMINISTRATION	ABANDONED MINES	AIR QUALITY	INDUSTRIAL SITING	LAND QUALITY	SOLID & HAZARDOUS WASTE	WATER QUALITY
(307) 777-7758 FAX 777-7682	(307) 777-6145 FAX 634-8792	(307) 777-7391 FAX 777-5616	(307) 777-7369 FAX 777-8927	(307) 777-7756 FAX 634-8792	(307) 777-7752 FAX 777-5973	(307) 777-7761 FAX 777-5973

January 15, 2004

STATE OF WYOMING PUBLIC NOTICE

Purpose of Public Notice

Operators of the facilities listed below have applied to the Department of Environmental Quality/Water Quality Division (DEQ/WQD) for permits to discharge wastewater into streams or other surface waters. After reviewing the applications and other information, the DEQ/WQD staff has determined that these discharges should be permitted. The proposed permits contain limitations and conditions that will assure that the state's surface water quality will be protected and fulfill the requirements of Sections 402 and 303 of the federal Clean Water Act.

The purpose of this notice is to invite your comments on these proposed permits before they are issued. Questions regarding any of the proposed permits may be directed to Leah Krafft (307-777-7093). Copies of the proposed permits will be available on our website at <http://deq.state.wy.us>. To object to any of the proposed permits, submit your comments in writing to Leah Krafft, DEQ/WQD, Herschler Bldg. - 4W, Cheyenne, WY 82002 by the date shown below. If no objection to a permit is received by the date shown below the permit will be issued as proposed. Upon request, a copy of the draft permit, fact sheet, and other pertinent information is available at the address listed above. In addition, a copy of the proposed permit and associated application form and/or modification notification for all coal bed methane permits is available at the DEQ Sheridan Field Office, 1043 Coffeen Avenue, Suite D, Sheridan, Wyoming 82801. A complete copy of the permit file for all permits, including coal bed methane permits, will be retained in the DEQ Cheyenne Field Office (see address above). Each permit file contains the proposed permit, application form, fact sheet, and other pertinent information.

Any interested person may submit written comments on a proposed permit and may request a public meeting. A request for a public meeting shall be in writing and shall indicate the interest of the party and the reasons why a meeting is warranted. If the administrator finds that there is a significant degree of public interest in holding such a meeting he may request that the Wyoming Environmental Quality Council (EQC) facilitate such a public meeting. The DEQ/WQD will consider all comments when making the final decision of issuance or denial of the permit and this decision is appealable to the EQC. All comments must be received in writing or faxed copies of written comments by 5:00 pm on the date listed below. Comments received by email will not be accepted.

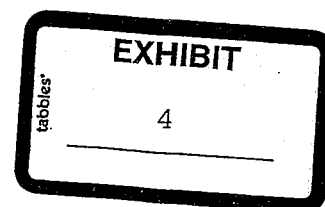
All Comments must be received by February 17, 2004

This facility(ies) is a coal bed methane facility in which groundwater is pumped from a coal bearing formation resulting in the release of methane from the coal bed. The permit authorizes the discharge to the surface of groundwater provided the effluent quality is in compliance with effluent limits established by the permit.

Lance Oil & Gas Company, Inc
1099 18th Street, Suite 1200
Denver, CO 802021955

WY0036510, Durham Ranch CBM Wells

- Outfall 001, SESE, Section 20, Township 45 North, Range 71 West, Campbell County. Receiving Waters :Belle Fourche River (2ABWW), via Hay Creek (3B), via unnamed, ephemeral tributary (3B).
- Outfall 002, SWNW, Section 20, Township 45 North, Range 71 West, Campbell County. Receiving Waters :Belle Fourche River (2ABWW), via Hay Creek (3B), via unnamed, ephemeral tributary (3B).
- Outfall 009, SENW, Section 24, Township 45 North, Range 72 West, Campbell County. Receiving Waters :Belle Fourche River (2ABWW), via Hay Creek (3B), via unnamed, ephemeral tributary (3B).



Outfall 010, SESW, Section 24, Township 45 North, Range 72 West, Campbell County. Receiving Waters :Belle Fourche River (2ABWW), via Hay Creek (3B).

Williams Production RMT Company
300 North Works Avenue
Gillette, WY 82716

WY0041718, Red Top Draw CBM Project

Outfall 001, NWSW, Section 8, Township 49 North, Range 73 West, Campbell County. Receiving Waters :Powder River (2ABWW), via Wild Horse Creek (3B), via Red Top Draw (3B), via an on-channel reservoir "Tiry" (3B), located on an unnamed, ephemeral tributary (3B).

Outfall 003, SESW, Section 9, Township 49 North, Range 73 West, Campbell County. Receiving Waters :Powder River (2ABWW), via Wild Horse Creek (3B), via Benmor Draw (3B), via an on-channel reservoir "Whiskey" (3B).

Outfall 004, SWSE, Section 17, Township 49 North, Range 73 West, Campbell County. Receiving Waters :Powder River (2ABWW), via Wild Horse Creek (3B), via Red Top Draw (3B), via an on-channel reservoir "Scoria Peak" (3B), located on an unnamed, ephemeral tributary (3B).

Outfall 005, NWSE, Section 7, Township 49 North, Range 73 West, Campbell County. Receiving Waters :Powder River (2ABWW), via Wild Horse Creek (3B), via Red Top Draw (3B), via Pearson Draw (3B), via an on-channel reservoir "Pearson #2" (3B).

Outfall 006, NESW, Section 17, Township 49 North, Range 73 West, Campbell County. Receiving Waters :Powder River (2ABWW), via Wild Horse Creek (3B), via Red Top Draw (3B), via an on-channel reservoir "Red Top" (3B), located on an unnamed, ephemeral tributary (3B).

Outfall 007, SENE, Section 18, Township 49 North, Range 73 West, Campbell County. Receiving Waters :Powder River (2ABWW), via Wild Horse Creek (3B), via Red Top Draw (3B), via an on-channel reservoir "Wild Prong" (3B).

Outfall 008, NWNE, Section 19, Township 49 North, Range 73 West, Campbell County. Receiving Waters :Powder River (2ABWW), via Wild Horse Creek (3B), via Red Top Draw (3B), via an on-channel reservoir "Sea of Grass" (3B), located on an unnamed, ephemeral tributary (3B).

Outfall 009, NWSE, Section 19, Township 49 North, Range 73 West, Campbell County. Receiving Waters :Powder River (2ABWW), via Wild Horse Creek (3B), via Red Top Draw (3B), via an on-channel reservoir "Toad Stool" (3B), located on an unnamed, ephemeral tributary (3B).

Outfall 010, NENW, Section 20, Township 49 North, Range 73 West, Campbell County. Receiving Waters :Powder River (2ABWW), via Wild Horse Creek (3B), via Red Top Draw (3B), via an on-channel reservoir "Scoria Ridge" (3B).

Lance Oil & Gas Company, Inc
1099 18th Street, Suite 1200
Denver, CO 802021955

WY0041882, North Wright-Hay Creek CBM Project

Outfall 001, SWSE, Section 2, Township 44 North, Range 72 West, Campbell County. Receiving Waters :Hay Creek (class 3B), which is tributary to the Belle Fourche River (class 2ABWW).

Outfall 002, SWSE, Section 4, Township 44 North, Range 72 West, Campbell County. Receiving Waters :West Fork, Hay Creek (class3B), which is tributary to the Belle Fourche River (class 2ABWW).

Outfall 003, NESE, Section 10, Township 44 North, Range 72 West, Campbell County. Receiving Waters :Hay Creek (class3B), which is tributary to the Belle Fourche River (class 2ABWW).

Outfall 004, NESW, Section 15, Township 44 North, Range 72 West, Campbell County. Receiving Waters :Hay Creek (class3B), which is tributary to the Belle Fourche River (class 2ABWW).

Outfall 005, SENW, Section 28, Township 44 North, Range 72 West, Campbell County. Receiving Waters :unnamed, ephemeral tributary (class 3B), Hay Creek (class 3B), which is tributary to the Belle Fourche River (class 2ABWW).

Outfall 006, SWSW, Section 22, Township 44 North, Range 72 West, Campbell County. Receiving Waters :Hay Creek (class3B), which is tributary to the Belle Fourche River (class 2ABWW).

Outfall 007, NWSE, Section 3, Township 44 North, Range 72 West, Campbell County. Receiving Waters :West Fork, Hay Creek (class3B), which is tributary to the Belle Fourche River (class 2ABWW).

Outfall 008, NWSE, Section 3, Township 44 North, Range 72 West, Campbell County. Receiving Waters :West Fork, Hay Creek (class3B), which is tributary to the Belle Fourche River (class 2ABWW).

Lance Oil & Gas Company, Inc
1099 18th Street, Suite 1200
Denver, CO 802021955

WY0042366, Black Butte CBM Wells

Outfall 001, SWSE, Section 28, Township 43 North, Range 71 West, Campbell County. Receiving Waters :Cheyenne River (class 2ABWW) via Black Thunder Creek (3B) via Little Thunder Creek (3B) via an unnamed stream (3B).

Outfall 002, NWSE, Section 28, Township 43 North, Range 71 West, Campbell County. Receiving Waters :Cheyenne River (class 2ABWW) via Black Thunder Creek (3B) via Little Thunder Creek (3B) via an unnamed stream (3B).

Outfall 003, NENE, Section 28, Township 43 North, Range 71 West, Campbell County. Receiving Waters :Cheyenne River (class 2ABWW) via Black Thunder Creek (3B) via Little Thunder Creek (3B) via an unnamed stream (3B).

Outfall 004, NWSW, Section 22, Township 43 North, Range 71 West, Campbell County. Receiving Waters :Cheyenne River (class 2ABWW) via Black Thunder Creek (3B) via Little Thunder Creek (3B) via an unnamed stream (3B).

Outfall 005, NWSW, Section 27, Township 43 North, Range 71 West, Campbell County. Receiving Waters :Cheyenne River (class 2ABWW) via Black Thunder Creek (3B) via Little Thunder Creek (3B) via an unnamed stream (3B).

Outfall 006, NWSE, Section 34, Township 43 North, Range 71 West, Campbell County. Receiving Waters :Cheyenne River (class 2ABWW) via Black Thunder Creek (3B) via Little Thunder Creek (3B) via an unnamed stream (3B).

Outfall 007, NENE, Section 3, Township 42 North, Range 71 West, Campbell County. Receiving Waters :Cheyenne River (class 2ABWW) via Black Thunder Creek (3B) via Little Thunder Creek (3B) via an unnamed stream (3B).

Outfall 008, NESE, Section 32, Township 43 North, Range 71 West, Campbell County. Receiving Waters :Cheyenne River (class 2ABWW) via Black Thunder Creek (3B) via Little Thunder Creek (3B) via an unnamed stream (3B).

Outfall 009, SWNW, Section 32, Township 43 North, Range 71 West, Campbell County. Receiving Waters :Cheyenne River (class 2ABWW) via Black Thunder Creek (3B) via Little Thunder Creek (3B) via an unnamed stream (3B).

Outfall 010, NENE, Section 32, Township 43 North, Range 71 West, Campbell County. Receiving Waters :Cheyenne River (class 2ABWW) via Black Thunder Creek (3B) via Little Thunder Creek (3B) via an unnamed stream (3B).

Williams Production RMT Company

300 North Works Avenue

Gillette, WY 82716

WY0042820, Pleasantville Mercury CBM

Outfall 001, NESE, Section 10, Township 46 North, Range 74 West, Campbell County. Receiving Waters :Belle Fourche River (2ABWW), via and unnamed, ephemeral tributary (3B), of Wild Horse Creek (3B).

Outfall 002, SWSW, Section 10, Township 46 North, Range 74 West, Campbell County. Receiving Waters :Belle Fourche River (2ABWW), via and unnamed, ephemeral tributary (3B), of Wild Horse Creek (3B).

Outfall 003, NENE, Section 15, Township 46 North, Range 74 West, Campbell County. Receiving Waters :Belle Fourche River (2ABWW), via and unnamed, ephemeral tributary (3B), of Wild Horse Creek (3B).

Outfall 004, SESW, Section 15, Township 46 North, Range 74 West, Campbell County. Receiving Waters :Belle Fourche River (2ABWW), via and unnamed, ephemeral tributary (3B), of Wild Horse Creek (3B).

Outfall 005, NESE, Section 15, Township 46 North, Range 74 West, Campbell County. Receiving Waters :Belle Fourche River (2ABWW), via and unnamed, ephemeral tributary (3B), of Wild Horse Creek (3B).

Outfall 006, NENE, Section 22, Township 46 North, Range 74 West, Campbell County. Receiving Waters :Belle Fourche River (2ABWW), via and unnamed, ephemeral tributary (3B), of Wild Horse Creek (3B).

Williams Production RMT Company

300 North Works Avenue -

Gillette, WY 82716

WY0044407, Doug

Outfall 001, SESW, Section 36, Township 49 North, Range 73 West, Campbell County. Receiving Waters :An unnamed, ephemeral tributary of Bone Pile creek (class 3B), which is eventually tributary to the Belle Fourche River (class 2ABWW).

Outfall 002, NWSE, Section 34, Township 49 North, Range 73 West, Campbell County. Receiving Waters :Bone Pile creek (class 3B), which is eventually tributary to the Belle Fourche River (class 2ABWW).

Outfall 003, SWSW, Section 35, Township 49 North, Range 73 West, Campbell County. Receiving Waters :Bone Pile creek (class 3B), which is eventually tributary to the Belle Fourche River (class 2ABWW).

Outfall 004, NENW, Section 35, Township 49 North, Range 73 West, Campbell County. Receiving Waters :An unnamed, ephemeral tributary of Bone Pile creek (class 3B), which is eventually tributary to the Belle Fourche River (class 2ABWW).

Williams Production RMT Company

300 North Works Avenue

Gillette, WY 82716

WY0045764, Ohman

Outfall 001, NE NW, Section 29, Township 46 North, Range 73 West, Campbell County. Receiving Waters :Belle Fourche River (class 2ABWW) via Wild Horse Creek (class 3B) via an unnamed ephemeral tributary (class 3B).

Outfall 002, SW SE, Section 29, Township 46 North, Range 73 West, Campbell County. Receiving Waters :Belle Fourche River (class 2ABWW) via Wild Horse Creek (class 3B) via an unnamed ephemeral tributary (class 3B).

Outfall 003, SW NE, Section 32, Township 46 North, Range 73 West, Campbell County. Receiving Waters :Belle Fourche River (class 2ABWW) via Wild Horse Creek (class 3B) via an unnamed ephemeral tributary (class 3B).

Outfall 004, NE SE, Section 32, Township 46 North, Range 73 West, Campbell County. Receiving Waters :Belle Fourche River (class 2ABWW) via Wild Horse Creek (class 3B) via an unnamed ephemeral tributary (class 3B).

Outfall 005, SW SE, Section 33, Township 46 North, Range 73 West, Campbell County. Receiving Waters :Belle Fourche River (class 2ABWW) via Wild Horse Creek (class 3B) via an unnamed ephemeral tributary (class 3B).

Outfall 006, SW NE, Section 28, Township 46 North, Range 73 West, Campbell County. Receiving Waters :Belle Fourche River (class 2ABWW) via Wild Horse Creek (class 3B) via an unnamed ephemeral tributary (class 3B).

Outfall 007, NW SE, Section 28, Township 46 North, Range 73 West, Campbell County. Receiving Waters :Belle Fourche River (class 2ABWW) via Wild Horse Creek (class 3B) via an unnamed ephemeral tributary (class 3B).

Outfall 008, NE NE, Section 33, Township 46 North, Range 73 West, Campbell County. Receiving Waters :Belle Fourche River (class 2ABWW) via Wild Horse Creek (class 3B) via an unnamed ephemeral tributary (class 3B).

Outfall 009, SW SW, Section 34, Township 46 North, Range 73 West, Campbell County. Receiving Waters :Belle Fourche River (class 2ABWW) via Wild Horse Creek (class 3B) via an unnamed ephemeral tributary (class 3B).

Williams Production RMT Company

300 North Works Avenue

Gillette, WY 82716

WY0046680, Hilda

Outfall 001, SESW, Section 18, Township 49 North, Range 72 West, Campbell County. Receiving Waters :unnamed tributary to Donkey Creek (3B).

Outfall 002, NWSW, Section 19, Township 49 North, Range 72 West, Campbell County. Receiving Waters :unnamed tributary to Donkey Creek (3B).

Outfall 003, SWSW, Section 1, Township 49 North, Range 73 West, Campbell County. Receiving Waters :Donkey Creek via Little Draw (3B).

Outfall 004, SWSW, Section 11, Township 49 North, Range 73 West, Campbell County. Receiving Waters :Donkey via Lake Bed Draw (3B).

Outfall 005, SWSE, Section 2, Township 49 North, Range 73 West, Campbell County. Receiving Waters :Donkey Creek via Lake Bed Draw (3B).

Williams Production RMT Company

300 North Works Avenue

Gillette, WY 82716

WY0048551, All Night Creek Unit #7

Outfall 001, SWSW, Section 4, Township 42 North, Range 74 West, Campbell County. Receiving Waters :unnamed ephemeral tributary (class 3B) to the Belle Fourche River (class 2ABWW).

Outfall 002, SENE, Section 5, Township 42 North, Range 74 West, Campbell County. Receiving Waters :unnamed ephemeral tributary (class 3B) to the Belle Fourche River (class 2ABWW).

Outfall 003, NENE, Section 8, Township 42 North, Range 74 West, Campbell County. Receiving Waters :unnamed ephemeral tributary (class 3B) to the Belle Fourche River (class 2ABWW).

Outfall 004, SWNW, Section 6, Township 42 North, Range 74 West, Campbell County. Receiving Waters :unnamed ephemeral tributary (class 3B) to the Belle Fourche River (class 2ABWW).

Outfall 005, NESE, Section 6, Township 42 North, Range 74 West, Campbell County. Receiving Waters :unnamed ephemeral tributary (class 3B) to the Belle Fourche River (class 2ABWW).

Outfall 006, NENW, Section 7, Township 42 North, Range 74 West, Campbell County. Receiving Waters :unnamed ephemeral tributary (class 3B) to the Belle Fourche River (class 2ABWW).

Outfall 007, NWSW, Section 7, Township 42 North, Range 74 West, Campbell County. Receiving Waters :unnamed ephemeral tributary (class 3B) to the Belle Fourche River (class 2ABWW).

Outfall 008, SWSW, Section 31, Township 43 North, Range 74 West, Campbell County. Receiving Waters :unnamed ephemeral tributary (class 3B) to the Belle Fourche River (class 2ABWW).

Outfall 009, SESE, Section 31, Township 43 North, Range 74 West, Campbell County. Receiving Waters : Belle Fourche River (class 2ABWW).

Outfall 010, NESW, Section 5, Township 42 North, Range 74 West, Campbell County. Receiving Waters :Belle Fourche River (class 2ABWW).

Williams Production RMT Company

300 North Works Avenue

Gillette, WY 82716

WY0049239, Swansong CBM Facility

Outfall 001, SWSW, Section 12, Township 49 North, Range 73 West, Campbell County. Receiving Waters :unnamed ephemeral tributary to Lake Bed Draw (class 3B) which is tributary to Donkey Creek (class 3B) in the Belle Fourche River (class 2ABWW) watershed.

Outfall 002, NWNE, Section 13, Township 49 North, Range 73 West, Campbell County. Receiving Waters :unnamed ephemeral tributary to Donkey Creek (class 3B) in the Belle Fourche River (class 2ABWW) watershed.

Outfall 003, NENE, Section 14, Township 49 North, Range 73 West, Campbell County. Receiving Waters :Janice Draw (class 3B) which is eventually tributary to Donkey Creek (class 3B) in the Belle Fourche River (class 2ABWW) watershed.

Williams Production RMT Company

300 North Works Avenue

Gillette, WY 82716

WY0049867, Cedar Draw State

Outfall 001, SENE, Section 16, Township 53 North, Range 75 West, Campbell County. Receiving Waters :Powder River (2ABWW), via Wild Horse Creek (3B), via Middle Prong, Wild Horse Creek (3B), via South Windmill Draw (3B), via Cedar Draw (3B).

Lance Oil & Gas Company, Inc

1099 18th Street, Suite 1200

Denver, CO 802021955

WY0049956, North Wright Hay Creek 3

Outfall 001, SESW, Section 34, Township 45 North, Range 72 West, Campbell County. Receiving Waters :Belle Fourche River (class 2ABWW) via Hay Creek (class 3B) via an unnamed ephemeral tributary (class 3B).

Outfall 002, NWSE, Section 4, Township 44 North, Range 72 West, Campbell County. Receiving Waters :Belle Fourche River (class 2ABWW) via Hay Creek (class 3B) via West Fork Hay Creek (class 3B) via an unnamed ephemeral tributary (class 3B).

Outfall 003, SENW, Section 10, Township 44 North, Range 72 West, Campbell County. Receiving Waters :Belle Fourche River (class 2ABWW) via Hay Creek (class 3B) via West Fork Hay Creek (class 3B) via an unnamed ephemeral tributary (class 3B).

Outfall 004, SWSE, Section 9, Township 44 North, Range 72 West, Campbell County. Receiving Waters :Belle Fourche River (class 2ABWW) via Hay Creek (class 3B) via an unnamed ephemeral tributary (class 3B).

Outfall 005, NWNE, Section 17, Township 44 North, Range 72 West, Campbell County. Receiving Waters :Belle Fourche River (class 2ABWW) via Hay Creek (class 3B) via West Fork Hay Creek (class 3B) via an unnamed ephemeral tributary (class 3B).

Outfall 006, NESW, Section 7, Township 44 North, Range 72 West, Campbell County. Receiving Waters :Belle Fourche River (class 2ABWW) via Hay Creek (class 3B) via Billie Creek (class 3B) via an unnamed ephemeral tributary (class 3B).

Outfall 007, SENW, Section 18, Township 44 North, Range 72 West, Campbell County. Receiving Waters :Belle Fourche River (class 2ABWW) via Hay Creek (class 3B) via Billie Creek (class 3B) via an unnamed ephemeral tributary (class 3B).

Outfall 008, NESE, Section 18, Township 44 North, Range 72 West, Campbell County. Receiving Waters :Belle Fourche River (class 2ABWW) via Hay Creek (class 3B) via Billie Creek (class 3B) via an unnamed ephemeral tributary (class 3B).

Outfall 009, SWSE, Section 18, Township 44 North, Range 72 West, Campbell County. Receiving Waters :Belle Fourche River (class 2ABWW) via Hay Creek (class 3B) via Billie Creek (class 3B) via an unnamed ephemeral tributary (class 3B).

Outfall 010, NENW, Section 19, Township 44 North, Range 72 West, Campbell County. Receiving Waters :Belle Fourche River (class 2ABWW) via Hay Creek (class 3B) via Billie Creek (class 3B) via an unnamed ephemeral tributary (class 3B).

Outfall 011, SWNE, Section 19, Township 44 North, Range 72 West, Campbell County. Receiving Waters :Belle Fourche River (class 2ABWW) via Hay Creek (class 3B) via Billie Creek (class 3B) via an unnamed ephemeral tributary (class 3B).

Outfall 012, NESW, Section 19, Township 44 North, Range 72 West, Campbell County. Receiving Waters :Belle Fourche River (class 2ABWW) via Hay Creek (class 3B) via Billie Creek (class 3B) via an unnamed ephemeral tributary (class 3B).

Yates Petroleum Corporation
105 South 4th Street
Artesia, NM 88210

WY0050598, Hen/Rooster CS State - Dead Horse Creek Outfalls

- Outfall 001, SENE, Section 8, Township 48 North, Range 74 West, Campbell County. Receiving Waters :Powder River (2ABWW), via Dead Horse Creek (3B), via North Prong, Dead Horse Creek (3B), via an on channel reservoir "Lee Mankin" (3B), located on an unnamed, ephemeral tributary (3B).
- Outfall 002, NWNW, Section 21, Township 48 North, Range 74 West, Campbell County. Receiving Waters :Powder River (2ABWW), via Dead Horse Creek (3B), via Middle Prong, Dead Horse Creek (3B), via an on channel reservoir "South Pasture" (3B), located on an unnamed, ephemeral tributary (3B).
- Outfall 003, SWNW, Section 22, Township 48 North, Range 74 West, Campbell County. Receiving Waters :Powder River (2ABWW), via Dead Horse Creek (3B), via Middle Prong, Dead Horse Creek (3B), via an on channel reservoir "Lower Sand Springs" (3B), located on an unnamed, ephemeral tributary (3B).
- Outfall 004, SWSW, Section 22, Township 48 North, Range 74 West, Campbell County. Receiving Waters :Powder River (2ABWW), via Dead Horse Creek (3B), via Middle Prong, Dead Horse Creek (3B), via an on channel reservoir "Ward" (3B), located on an unnamed, ephemeral tributary (3B).
- Outfall 005, NESE, Section 27, Township 48 North, Range 74 West, Campbell County. Receiving Waters :Powder River (2ABWW), via Dead Horse Creek (3B), via Middle Prong, Dead Horse Creek (3B), via an on channel reservoir "Butte" (3B), located on an unnamed, ephemeral tributary (3B).
- Outfall 006, SESE, Section 29, Township 48 North, Range 74 West, Campbell County. Receiving Waters :Powder River (2ABWW), via Dead Horse Creek (3B), via Middle Prong, Dead Horse Creek (3B), via an on channel reservoir "North Windmill" (3B), located on an unnamed, ephemeral tributary (3B).
- Outfall 007, NWSW, Section 32, Township 48 North, Range 74 West, Campbell County. Receiving Waters :Powder River (2ABWW), via Dead Horse Creek (3B), via Middle Prong, Dead Horse Creek (3B), via an on channel reservoir "Lower Pasture" (3B), located on an unnamed, ephemeral tributary (3B).

SRW, Inc

PO Box 6710

Sheridan, WY 82801-

WY0050962, Krezelok Unit II

- Outfall 001, NWNW, Section 3, Township 53 North, Range 82 West, Sheridan County. Receiving Waters :A natural topographic depression (Krezelok #8) (4C), located within, but not tributary to, the Cameron Gulch (3B) sub-basin of the Piney Creek (2AB) watershed.
- Outfall 002, SENW, Section 3, Township 53 North, Range 82 West, Sheridan County. Receiving Waters :A natural topographic depression (Krezelok #9) (4C), located within, but not tributary to, the Cameron Gulch (3B) sub-basin of the Piney Creek (2AB) watershed.

Bill Barrett Corporation

1901 Energy Court, Suite 170

Gillette, WY 82718

WY0051217, Palm Tree Project

- Outfall 001, NESW, Section 3, Township 41 North, Range 74 West, Campbell County. Receiving Waters :Cheyenne River (2ABWW) via Antelope Creek (3B) via Bates Creek (2ABWW) via an unnamed stream (3B).
- Outfall 002, NENE, Section 4, Township 41 North, Range 74 West, Campbell County. Receiving Waters :Cheyenne River (2ABWW) via Antelope Creek (3B) via Bates Creek (2ABWW) via an unnamed stream (3B).
- Outfall 003, SWNW, Section 5, Township 41 North, Range 74 West, Campbell County. Receiving Waters :Cheyenne River (2ABWW) via Antelope Creek (3B) via Pine Tree Draw (3B) via an unnamed stream (3B).
- Outfall 004, SESW, Section 6, Township 41 North, Range 74 West, Campbell County. Receiving Waters :Cheyenne River (2ABWW) via Antelope Creek (3B) via Pine Tree Draw (3B).
- Outfall 005, NENW, Section 7, Township 41 North, Range 74 West, Campbell County. Receiving Waters :Cheyenne River (2ABWW) via Antelope Creek (3B) via Pine Tree Draw (3B) via an unnamed stream (3B).
- Outfall 006, NESE, Section 7, Township 41 North, Range 74 West, Campbell County. Receiving Waters :Cheyenne River (2ABWW) via Antelope Creek (3B) via Pine Tree Draw (3B) via an unnamed stream (3B).
- Outfall 007, NWSE, Section 8, Township 41 North, Range 74 West, Campbell County. Receiving Waters :Cheyenne River (2ABWW) via Antelope Creek (3B) via Ninemile Creek (3B) via an unnamed stream (3B).
- Outfall 008, SESE, Section 8, Township 41 North, Range 74 West, Campbell County. Receiving Waters :Cheyenne River (2ABWW) via Antelope Creek (3B) via Ninemile Creek (3B) via an unnamed stream (3B).
- Outfall 009, NWNW, Section 9, Township 41 North, Range 74 West, Campbell County. Receiving Waters :Cheyenne River (2ABWW) via Antelope Creek (3B) via Bates Creek (3B) via an unnamed stream (3B).
- Outfall 010, NESW, Section 10, Township 41 North, Range 74 West, Campbell County. Receiving Waters :Cheyenne River (2ABWW) via Antelope Creek (3B) via Mexican Springs (3B) via an unnamed stream (3B).
- Outfall 011, NENE, Section 15, Township 41 North, Range 74 West, Campbell County. Receiving Waters :Cheyenne River (2ABWW) via Antelope Creek (3B) via Mexican Springs (3B) via an unnamed stream (3B).
- Outfall 012, NESW, Section 16, Township 41 North, Range 74 West, Campbell County. Receiving Waters :Cheyenne River (2ABWW) via Antelope Creek (3B) via Ninemile Creek (3B) via an unnamed stream (3B).
- Outfall 013, NENW, Section 17, Township 41 North, Range 74 West, Campbell County. Receiving Waters :Cheyenne River (2ABWW) via Antelope Creek (3B) via Ninemile Creek (3B) via an unnamed stream (3B).
- Outfall 014, NESE, Section 18, Township 41 North, Range 74 West, Campbell County. Receiving Waters :Cheyenne River (2ABWW) via Antelope Creek (3B) via Ninemile Creek (3B) via an unnamed stream (3B).
- Outfall 015, SESE, Section 19, Township 41 North, Range 74 West, Campbell County. Receiving Waters :Cheyenne River (2ABWW) via Antelope Creek (3B) via Ninemile Creek (3B) via an unnamed stream (3B).
- Outfall 016, NWSE, Section 20, Township 41 North, Range 74 West, Campbell County. Receiving Waters :Cheyenne River (2ABWW) via Antelope Creek (3B) via Ninemile Creek (3B).
- Outfall 017, NESW, Section 32, Township 42 North, Range 74 West, Campbell County. Receiving Waters :Cheyenne River (2ABWW) via Antelope Creek (3B) via Bates Creek (3B) via an unnamed stream (3B).
- Outfall 018, SWNW, Section 1, Township 41 North, Range 75 West, Campbell County. Receiving Waters :Cheyenne River (2ABWW) via Antelope Creek (3B) via Ninemile Creek (3B) via an unnamed stream (3B).

Outfall 019, NENE, Section 12, Township 41 North, Range 75 West, Campbell County. Receiving Waters :Cheyenne River (2ABWW) via Antelope Creek (3B) via Pine Tree Draw (3B) via an unnamed stream (3B).

Outfall 020, SWSE, Section 2, Township 41 North, Range 75 West, Campbell County. Receiving Waters :Cheyenne River (2ABWW) via Antelope Creek (3B) via Simmons Draw (3B) via an unnamed stream (3B).

Outfall 021, SWSW, Section 2, Township 41 North, Range 75 West, Campbell County. Receiving Waters :Cheyenne River (2ABWW) via Antelope Creek (3B) via Simmons Draw (3B).

Outfall 022, NESE, Section 12, Township 41 North, Range 75 West, Campbell County. Receiving Waters :Cheyenne River (2ABWW) via Antelope Creek (3B) via Ninemile Creek (3B) via an unnamed stream (3B).

Outfall 023, SWNW, Section 12, Township 41 North, Range 75 West, Campbell County. Receiving Waters :Cheyenne River (2ABWW) via Antelope Creek (3B) via Ninemile Creek (3B) via an unnamed stream (3B).

Outfall 024, SESW, Section 13, Township 41 North, Range 75 West, Campbell County. Receiving Waters :Cheyenne River (2ABWW) via Antelope Creek (3B) via Ninemile Creek (3B) via an unnamed stream (3B).

Outfall 025, NESW, Section 24, Township 41 North, Range 75 West, Campbell County. Receiving Waters :Cheyenne River (2ABWW) via Antelope Creek (3B) via Ninemile Creek (3B) via an unnamed stream (3B).

Yates Petroleum Corporation

105 South 4th Street

Artesia, NM 88210

WY0051225, Hen/Rooster CS State - Caballo Creek Outfalls

Outfall 001, NWNW, Section 23, Township 48 North, Range 74 West, Campbell County. Receiving Waters :Belle Fourche River (2ABWW), via Caballo Creek (3B).

Bill Barrett Corporation

1901 Energy Ct, Suite 170

Denver, CO 80202

WY0051233, Big Porcupine FS EA

Outfall 001, NESW, Section 19, Township 42 North, Range 70 West, Campbell County. Receiving Waters :Cheyenne River (2ABWW) via Antelope Creek (3B) via Porcupine Creek (3B) via Boss Creek (3B).

Outfall 002, NWSE, Section 20, Township 42 North, Range 70 West, Campbell County. Receiving Waters :Cheyenne River (2ABWW) via Antelope Creek (3B) via Porcupine Creek (3B) via Carder Creek (3B) via an unnamed stream (3B).

Outfall 003, SESW, Section 23, Township 42 North, Range 71 West, Campbell County. Receiving Waters :Cheyenne River (2ABWW) via Antelope Creek (3B) via Porcupine Creek (3B) via an unnamed stream (3B).

Outfall 004, NWSW, Section 26, Township 42 North, Range 71 West, Campbell County. Receiving Waters :Cheyenne River (2ABWW) via Antelope Creek (3B) via Porcupine Creek (3B).

Lance Oil and Gas Company, Inc.

12200 North Pecos Street

Denver, CO 80234

WY0051292, Indian Creek portion of Indian Creek POD

Outfall 001, NWNE, Section 36, Township 49 North, Range 79 West, Johnson County. Receiving Waters :Powder River (2ABWW) via Indian Creek (class 3B) via unnamed ephemeral tributary (3B) via on-channel reservoir (3B).

Outfall 002, NWSE, Section 35, Township 49 North, Range 79 West, Johnson County. Receiving Waters :Powder River (2ABWW) via Indian Creek (class 3B) via unnamed ephemeral tributary (3B) via on-channel reservoir (3B).

Outfall 003, SESW, Section 31, Township 49 North, Range 78 West, Johnson County. Receiving Waters :Powder River (2ABWW) via Indian Creek (class 3B) via unnamed ephemeral tributary (3B) via on-channel reservoir (3B).

Outfall 004, NENE, Section 12, Township 48 North, Range 79 West, Johnson County. Receiving Waters :Powder River (2ABWW) via Indian Creek (class 3B) via unnamed ephemeral tributary (3B) via on-channel reservoir (3B).

Outfall 005, SWNW, Section 1, Township 48 North, Range 79 West, Johnson County. Receiving Waters :Powder River (2ABWW) via Indian Creek (class 3B) via unnamed ephemeral tributary (3B) via on-channel reservoir (3B).

Outfall 006, SESE, Section 32, Township 49 North, Range 78 West, Johnson County. Receiving Waters :Powder River (2ABWW) via Indian Creek (class 3B) via unnamed ephemeral tributary (3B) via on-channel reservoir (3B).

Outfall 007, SESE, Section 7, Township 48 North, Range 78 West, Johnson County. Receiving Waters :Powder River (2ABWW) via Indian Creek (class 3B) via unnamed ephemeral tributary (3B) via on-channel reservoir (3B).

Outfall 008, NWSE, Section 6, Township 48 North, Range 78 West, Johnson County. Receiving Waters :Powder River (2ABWW) via Indian Creek (class 3B) via unnamed ephemeral tributary (3B) via on-channel reservoir (3B).

Outfall 009, SWNE, Section 6, Township 48 North, Range 78 West, Johnson County. Receiving Waters :Powder River (2ABWW) via Indian Creek (class 3B) via unnamed ephemeral tributary (3B) via on-channel reservoir (3B).

This facility(ies) is a coal mine operation in which process wastewater generated from the mine is discharged to a surface water of the state. The process wastewater typically consists of mine pit water, dewater wells, and/or runoff from surrounding areas.

Wyoming Coal Resources Company

PO Box 1449

Gillette, WY 827161449

WY0028851, Fort Union Coal Mine

Outfall 003, SWSE, Section 36, Township 51 North, Range 72 West, Campbell County. Receiving Waters :Dry Fork Little Powder River (Class 3B waters), Little Powder River Basin.

Landrica Development Company

131-26 Highway 51

Gillette, WY 82718-

WY0033057, Fort Union Coal Benefication

Outfall 001, SENE, Section 29, Township 51 North, Range 71 West, Campbell County. Receiving Waters :Prairie Creek via an unnamed, contained dry lake bed (Class 3B waters), Little Powder River Basin.

Outfall 002, SWNE, Section 32, Township 51 North, Range 71 West, Campbell County. Receiving Waters :Prairie Creek (Class 3B water), Little Powder River Basin.

This privately owned and operated wastewater treatment facility(ies) is used to treat domestic sewage before it is discharged to a surface water of the state.

GT Acquisitions I LLC

Ski Hill Rd, P O Box SKI

Alta, WY 83422-

WY0024708, Grand Targhee Resort

Outfall 003, NW, Section 12, Township 44 North, Range 118 West, Teton County. Receiving Waters :Dry Creek (Class 3B water), Snake River Basin.

Outfall 004, NW, Section 12, Township 44 North, Range 118 West, Teton County. Receiving Waters :Dry Creek (Class 3B water), Snake River Basin.

Outfall 005, NW, Section 12, Township 44 North, Range 118 West, Teton County. Receiving Waters :Dry Creek (Class 3B water), Snake River Basin.

This feedlot operation(s) includes a confined animal feeding operation for cattle, sheep and/or other livestock. The permit requires that there will be no discharge of process wastewater to a surface water of the state except during a storm event which exceeds the 25 year/ 24 hour storm.

Gross Wilkinson Ranch

PO Box 809

Pine Bluffs, WY 82082-0809

WY0022144, Feedlot Runoff Control Structure

Outfall 001, SE, Section 9, Township 14 North, Range 60 West, Laramie County. Receiving Waters :Lodgepole Creek (Class 2AB water), South Platte River Basin.

University of Wyoming

PO Box 3314

Laramie, WY 82071-3314

WY0034347, Animal Science Livestock Cente

Outfall 001, E, Section 11, Township 15 North, Range 74 West, Albany County. Receiving Waters :Laramie River (Class 2AB water) via an unnamed drainage (Class 3B water), North Platte River Basin.

Lungren Farms and Feedlot

1586 Rd 13

Worland, WY 82401

WY0051071, Luke Lungren Farms and Feedlot

Outfall 001, Tract 98C, Section 13, Township 46 North, Range 93 West, Washakie County. Receiving Waters :Big Horn River (Class 2AB water).

James Hodder

164 Haystack Butte Road

Farson, WY 82932

WY0051152, James Hodder Feed Lot

Outfall 001, NW, Section 3, Township 25 North, Range 106 West, Sweetwater County. Receiving Waters :Big Sandy River (Class 2AB water), Green River Basin.

This facility(ies) is owned and operated by a municipality and provides treatment of domestic

Byron, Town of

PO Box 5

Bryon, WY 82412-0005

WY0020281, Byron Wastewater Lagoon

Outfall 001, , Section 35, Township 56 North, Range 97 West, Big Horn County. Receiving Waters :Shoshone River (2AB) via an intermittent channel (Class 4A).

Lingle, Town of

PO Box 448

Lingle, WY 82223-0448

WY0021849, Lingle Wastewater Lagoon

Outfall 001, NWNE, Section 29, Township 25 North, Range 62 West, Goshen County. Receiving Waters :Rawhide Creek (Class 2AB water), North Platte River Basin.

Outfall 002, NWNE, Section 29, Township 25 North, Range 62 West, Goshen County. Receiving Waters :Rawhide Creek (Class 2AB water), North Platte River Basin.

This facility(ies) is an oil production unit in which the oil and formation waters are separated at the surface using one of the following methods: heater treated, gravity separation, emulsion breaking chemicals, and/or skim ponds and tanks. The formation waters are then discharged to the surface provided the effluent quality is in compliance with the effluent limits that are

Lagniappe Interests, Inc.

161 Glen View Lane

Evergreen, CO 80439

WY0000434, Wind Creek Lease

Outfall 001, NWSE, Section 23, Township 49 North, Range 66 West, Crook County. Receiving Waters :Wind Creek via an unnamed drainage (Class 3B waters), Belle Fourche River Basin.

Equity Oil Company

PO Box 310

Cody, WY 82414-0310

WY0000965, Bonanza Buffalo 044043 Lease

Outfall 001, NWNE, Section 26, Township 49 North, Range 91 West, Big Horn County. Receiving Waters :Nowood River (Class 2AB water) via an unnamed draw (Class 3B water), Big Horn River Basin.

Equity Oil Company

PO Box 310

Cody, WY 82414-0310

WY0001023, Bonanza State B Battery

Outfall 001, NW, Section 36, Township 49 North, Range 91 West, Big Horn County. Receiving Waters :Milton Draw (Class 3B water), Big Horn River Basin.

J & J Production

PO Box 291

Worland, WY 82401-0291

WY0001619, Southeast Nowood Field

Outfall 001, SESW, Section 9, Township 48 North, Range 90 West, Washakie County. Receiving Waters :Big Cottonwood Creek via an unnamed drainage (Class 3B waters), Big Horn River Basin.

Continental Resources, Inc.

PO Box 1032

Enid, OK 73702-1032

WY0020699, Cottonwood Creek Field

Outfall 001, NWNE, Section 7, Township 47 North, Range 90 West, Washakie County. Receiving Waters :Big Cottonwood Creek via an unnamed drainage (Class 3B waters), Big Horn River Basin.

Equity Oil Company

PO Box 310

Cody, WY 82414-0310

WY0024643, Bonanza Field McIntosh-Berwick

Outfall 001, NWSE, Section 26, Township 49 North, Range 91 West, Big Horn County. Receiving Waters :Milton Draw via an unnamed drainage (Class 3B waters), Big Horn River Basin.

Endeavor Energy, LLC

243 East 19th Ave, Ste 203

Denver, CO 80203-

WY0026131, Ruth A Rice Lease

Outfall 001, NENE, Section 25, Township 48 North, Range 90 West, Washakie County. Receiving Waters :Nowood River (Class 2AB water) via an unnamed drainage (Class 3B water), Big Horn River Basin.

Endeavor Energy, LLC

243 East 19th Ave, Ste 203

Denver, CO 80203-

WY0026140, Nowood Lease

Outfall 001, NWNE, Section 8, Township 48 North, Range 90 West, Washakie County. Receiving Waters :Nowood River (Class 2AB water) via an unnamed drainage (Class 3B water), Big Horn River Basin.

Dolezal, George Jr.

518 17th St, Ste 914

Denver, CO 80202

WY0026417, Ajax State & State Smith #1

Outfall 001, SE, Section 36, Township 49 North, Range 91 West, Big Horn County. Receiving Waters :Nowood River (Class 2AB water) via an unnamed drainage (Class 3B water), Big Horn River Basin.

Vector Minerals Corporation

PO Box 460223

Aurora, CO 800460223

WY0026972, Ranger Government #2

Outfall 001, SWNE, Section 13, Township 37 North, Range 63 West, Niobrara County. Receiving Waters :Spring Creek via an unnamed draw (Class 3B waters), Cheyenne River Basin.

Summit Resources

P.O. Box 820454

Houston, TX 772820454

WY0027413, Speas Lease #1-A

Outfall 001, NESW, Section 35, Township 33 North, Range 82 West, Natrona County. Receiving Waters :Poison Spider Creek via an unnamed drainage (Class 3B waters), North Platte River Basin.

Cork Petroleum, Inc.

PO Box 1152

Thermopolis, WY 82443-1152

WY0028070, Freudenthal Lease, Battery #1

Outfall 001, SW, Section 35, Township 43 North, Range 94 West, Hot Springs County. Receiving Waters :Warm Springs Creek via an unnamed drainage (Class 3B waters), Big Horn River Basin.

Outfall 002, SW, Section 35, Township 43 North, Range 94 West, Hot Springs County. Receiving Waters :Warm Springs Creek via an unnamed drainage (Class 3B waters), Big Horn River Basin.

WYOIL Corporation

856 Coffeen Avenue

Sheridan, WY 82801

WY0028631, Tank Battery #1

Outfall 001, SESW, Section 5, Township 48 North, Range 90 West, Washakie County. Receiving Waters :Big Cottonwood Creek (Class 3B water), Big Horn River Basin.

Endeavor Energy, LLC

243 East 19th Ave. Ste 203

Denver, CO 80203-

WY0032191, Cook Lease—Middle Dome Field

Outfall 001, SW, Section 15, Township 48 North, Range 90 West, Washakie County. Receiving Waters :Nowood River (Class 2AB water) via an unnamed drainage (Class 3B waters), Big Horn River Basin.

Lagniappe Interests, Inc.

161 Glen View Lane

Evergreen, CO 80439

WY0032531, Wagner C Lease

Outfall 001, SW, Section 24, Township 49 North, Range 66 West, Crook County. Receiving Waters :Wind Creek (Class 3B water), Belle Fourche River Basin.

Cork Petroleum, Inc.

PO Box 1152

Thermopolis, WY 82443-1152

WY0032565, Freudenthal Lease, Battery #2

Outfall 001, SW, Section 35, Township 43 North, Range 94 West, Hot Springs County. Receiving Waters :Warm Springs Creek via an unnamed drainage (Class 3B waters), Big Horn River Basin.

Continental Resources, Inc.

PO Box 1032

Enid, OK 73702-1032

WY0033120, Cottonwood Creek Waterflood

Outfall 001, SW, Section 13, Township 47 North, Range 91 West, Washakie County. Receiving Waters :Big Cottonwood Creek via an unnamed drainage (Class 3B waters), Big Horn River Basin.

Continental Resources, Inc.

PO Box 1032

Enid, OK 73702-1032

WY0033138, Cottonwood Creek Workover Tank

Outfall 001, SE, Section 12, Township 47 North, Range 91 West, Washakie County. Receiving Waters :Big Cottonwood Creek via an unnamed drainage (Class 3B waters), Big Horn River Basin.

Citation Oil & Gas Corporation

8223 Willow Place South, Ste 250

Houston, TX 77070-5623

WY0034002, Fed Leases W-61334a, W-63733

Outfall 001, NWNÉ, Section 10, Township 48 North, Range 91 West, Washakie County. Receiving Waters unnamed drainage (Class 3B water) tributary to the Nowood River, Big Horn River Basin.

Bower Properties, LLC
PO Box 1764
Worland, WY 82401-1764
WY0035726, USA Trico Federal #1

Outfall 001, SWSW, Section 5, Township 47 North, Range 90 West, Washakie County. Receiving Waters :Big Cottonwood Creek via an unnamed drainage (Class 3B waters), Big Horn River Basin.

This facility(ies) is owned and operated by the State of Wyoming and provides treatment of process wastewater generated on site and/or domestic sewage.

University of Wyoming
University Station, Box 3166
Laramie, WY 82071

WY0032336, Red Buttes Laboratory

Outfall 001, NENW, Section 21, Township 14 North, Range 73 West, Albany County. Receiving Waters :Lake Leazenby (Class 2AB water), North Platte River Basin.

WY-PN-04-001

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Public Notice WY-PN-04-001

Wyoming Department of Environmental Quality
Water Quality Division
122 West 25th Street
Cheyenne, WY 82002

Exhibit

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51233



The State of Wyoming



Department of Environmental Quality

Dave Freudenthal, Governor

Herschler Building • 122 West 25th Street • Cheyenne, Wyoming 82002

ADMIN/OUTREACH (307)777-7758 FAX 777-3610	ABANDONED MINES (307)777-6145 FAX 777-6462	AIR QUALITY (307)777-7391 FAX 777-5616	INDUSTRIAL SITING (307)777-7369 FAX 777-6937	LAND QUALITY (307)777-7756 FAX 777-5864	SOLID & HAZ. WASTE (307)777-7752 FAX 777-5973	WATER QUALITY (307)777-7781 FAX 777-5973
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April 6, 2004

Mr. Steve Jones
Wyoming Outdoor Council (WOC)
262 Lincoln Street
Lander, WY 82520

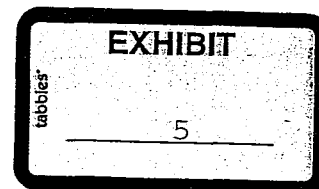
RE: National Pollutant Discharge Elimination System (NPDES) January 15, 2004 Public Notice

Dear Mr. Jones:

I have received your letter dated February 17, 2004 in which you provide comments related to the permits advertised in the January 15, 2004 public notice. This letter is to provide a written response to the comments raised in your letter and notification of the issuance of the permits advertised in the public notice. A list of the permits and the date they were issued is attached.

I appreciate your comments and concerns. As you are aware, the Water Quality Division (WQD) has the difficult responsibility of balancing the rights and needs of the discharger against the rights and needs of those who will be affected by the discharge. To do this we use our professional judgement to set permit limits adequate to meet the in-stream standards which have been duly adopted by the Environmental Quality Council (EQC).

After reviewing your letter, it became clear that the language and issues included in the letter are identical to those included in your January 15, 2004 letter. Considering this, please refer to my letter dated February 20, 2004 for responses to all portions of your letter except for the issues described below.



L. WOC OBJECTS TO INTERIM STANDARDS IMPOSED IN PERMITS

Your comments related to this section focused on WQD "postponing imposition of 'final' effluent limits" in NPDES permits. It is believed that compliance with limits should be immediate.

Chapter 1 of the Wyoming Water Quality Rules and Regulations was modified in 2001. During this revision, multiple aspects of the state's water quality standards were modified. All NPDES permits must be based upon the state's current water quality standards. Therefore, for permits that were issued after 2001, the permits were required to comply with the conditions and requirements contained in the revised chapter. As a consequence, some of the permits that were issued prior to 2001 contain different effluent limits and conditions than permits that are currently being issued.

The most significant change to Chapter 1 was the change in the stream classification system. Those streams that were previously classified as Class 4 streams and now considered to be Class 3 streams, which are designated to protect aquatic life other than fish. As a result of the new classification system, many permittees are now required to comply with new water quality standard that they previously had not.

In accordance of Section 5 of Chapter 1, an operator may be given a "window of opportunity" to comply with new water quality standards. The approach of allowing a window of opportunity allows the operator to evaluate their current operation and determine if it is necessary to modify the facility in order to comply with the new requirements. Several of the permits contained in this public notice do not contain a traditional compliance schedule but rather establish interim and final effluent limits. These limits serve the same intent as a compliance schedule by providing a "window-of-opportunity" for an operator to comply with the new water quality standards.

To address the interim and final effluent limits in several of the permits included in this public notice, the language listed below was included in the statement of basis for each permit.

According to Section 5 of Chapter 1, an operator may be provided a window-of-opportunity to comply with new water quality standards. For this permit, the interim effluent limits are designed to allow the permittee to comply with the chlorides water quality standard. In many cases, a permittee may have to install new treatment systems to comply with the new standards. In addition, a permittee may choose to conduct an use-attainability-analysis (UAA) to establish site-specific standards for chlorides. Currently, the Environmental Protection Agency (EPA) and WQD are negotiating an agreement on the approach to conduct UAAs on effluent dominated streams. Taking into consideration these ongoing discussions, it is the WQD's and EPA's opinion that interim limits for 59 months of the permit provide sufficient time for the EPA and the WQD to resolve these issues and modify any state regulations, if necessary.

COMMENTS ON SPECIFIC PERMITS

WY0051217 and WY0051233, Bill Barrett Corporation

The proposed outfall locations are located at least 26 miles upstream of the Cheyenne River. Considering the ephemeral nature of the receiving streams and infiltration, it is highly unlikely that

the effluent will reach the River except during a storm event. In addition, upon further discussions with the permittee related to the proposed flow limits associated with the permits (WY0051217 - 5.3 MGD and WY0051233 - 5.1 MGD), the permittee has reevaluated the operations and has proposed new flow limits that will more accurately represent the expected flow from these facilities. As a result, the flow limits associated with WY0051217 and WY0051233 have been reduced to 4.4 MGD and 3.4 MGD respectively.

The produced water associated with these permits are immediately discharged to Class 3 waters. However, to account for cumulative impacts from multiple CBM discharges, most of the effluent limits established in the permits, except for dissolved iron, are based upon the more stringent Class 2 standards.

Recently, the WQD permitting and laboratory staff evaluated water quality data and determined that iron quickly oxidizes in the channel. Based upon this information, the WQD has concluded that applying Class 3 dissolved iron standards to permits that immediately discharge to a Class 3 stream (the discharge must be at least one mile upstream of the confluence of a Class 2 stream) will be protective of Class 2 standards. As a result, these permits contain dissolved iron limits of 1,000 µg/l.

According to the Site-Specific Criteria contained in Appendix B of Chapter 1 (B-10), the numeric human health criteria for iron and manganese shall not apply to Antelope Creek and all of its Class 2 tributaries, Little Thunder Creek and all of its Class 2 tributaries below the confluence of North Prong. Considering this and the fact that the immediate receiving streams are Class 3 waters, the human health criteria for these parameters were not considered when establishing the effluent limits in the permits.

The SAR and specific conductance (SC) limits established in these permits are consistent with the limits for the Cheyenne River Basin that have been determined to be protective of Section 20 of Chapter 1 and are protective of water quality standards for South Dakota. The SAR limit is based upon research and literature contained in the *"Agricultural Salinity and Drainage, 1999"* which contains what is commonly referred to as the "Hanson Chart". This chart can be used as a guide for assessing potential infiltration problems caused by irrigation water quality. The chart specifically evaluates the SC and SAR of the irrigation water. The SC limit is designed to protect the crop being irrigated and is based upon suggested crop tolerance. These tolerance levels are contained in the reference material described above. These values are based upon the assumption of 100 percent yield, which is a conservative assumption. In addition, the ambient condition of the drainage was also considered when establishing the SC limit. As an example, the average SC of Antelope Creek, according to the USGS Station at Teckla, is approximately 2300 micromhos/cm. Considering these factors, the SAR and SC limits established in these permits are protective of irrigation activities in the Antelope Creek drainage.

According to the federal regulations, a fact sheet must be prepared for a "major discharger." Chapter 2 of the Wyoming Water Quality Rules and Regulations define a "minor discharge" but do not define a "major discharge." According to the U.S. Environmental Protection Agency, a "major discharger" is any NPDES facility or activity classified as such by the Regional Administrator, or in the case of approved State programs, the Regional Administrator in conjunction with the State Director. In discussion with Bruce Kent with the EPA, this evaluation has already been conducted

and the EPA is not recommending that CBM facilities be classified as "major dischargers" at this time. Considering this, it is not necessary to develop a fact sheet for these permits.

Representative water quality analyses for these permits were reviewed and applicable effluent limits incorporated into the permit to ensure that Sections 20, 21, and 32 of Chapter 1 will not be violated.

Due to the issues described above, WOC's request for an extension of time in which to provide further comments to WQD on these permits is denied.

WY0051122, James Hodder Feedlot

Concerns were expressed about:

- the need for a Chapter 3 Permit-to-Construct*
- the need to design the facility for a 3.0 inch storm event*
- the permit should protect the "pristine" Big Sandy River*
- the Statement of Basis of the permit contains language that suggests that the nutrient management plan for this facility is "under review"*

There are many methods that can be utilized to control the runoff and process wastewater from a feedlot. An operator may choose to use non-structural controls, such as a natural swale or adjacent field, or structural controls, such as a lagoon, to contain the runoff or divert clean water runoff *around* the facility so as not to commingle the stormwater runoff with process wastewater generated from the facility. In many cases, a constructed lagoon will require a DEQ Chapter 3 Permit-To-Construct. In such cases, a Chapter 3 permit is issued by DEQ's District Engineers and not through the NPDES program. In the case of the James Hodder Feedlot, personnel from the U.S. National Resources Conservation Services (NRCS) and the DEQ determined that the feedlot does not require a DEQ Chapter 3 Permit-To-Construct because runoff and process-wastewater from the feedlot are detained in a natural closed basin where Mr. Hodder has a hay field.

The federal regulations associated with the Concentrated Animal Feeding Operation (CAFO) Point Source Category (40 CFR Part 412), require that feedlots must be designed, constructed and operated to contain all process wastewaters generated from the site plus the runoff from a *25-year/24-hour* storm event. Your letter suggested that a 3.0-inch storm event will cause overflow of the facility, so it is suggested that the feedlot should be designed and built to the *100-year/24-hour* storm event. The 3.0-inch storm event is extremely unlikely, considering that the *100-year/24-hour* storm event in this locale is 2.6 inches.

The potential receiving water, the Big Sandy River, is classified as a Class 2AB water. The permit was written considering the Class 2AB classification and all applicable federal regulations.

In reference to the site map comment in your letter, it was submitted to the WQD with the NPDES

permit application, as required by the application form, Short Form A. For new NPDES CAFO operations, a nutrient management plan must be submitted with the application. Typically, the NRCS assists the operator in developing the nutrient management plan. In the case of the James Hodder Feedlot, this plan and associated map was included in the application. Therefore, the language in the Statement of Basis referring to the report as "under review" has been removed.

WY0051071, Lungren Feedlot

Concerns were expressed about:

- *the impairment of the Big Horn River downstream of the feedlot*
- *the need to design the facility for a 3.0 inch storm event*
- *the permit should protect the Big Horn River*
- *the Statement of Basis of the permit contains language that suggests that the nutrient management plan for this facility is "under review"*

The WQD recognizes that there is downstream impairment of the Big Horn River due to fecal coliform, however, the facility, being designed for the 25-year/24 hour storm event, provides reasonable protection to surface waters consistent with state and federal regulations. The potential receiving water, Big Horn River, is classified as a Class 2AB water. The permit was written considering the Class 2AB classification and all applicable federal regulations.

The federal regulations associated with the Concentrated Animal Feeding Operation (CAFO) Point Source Category (40 CFR Part 412), require that feedlots must be designed, constructed and operated to contain all process wastewaters generated from the site plus the runoff from a 25-year/24-hour storm event. Your letter suggested that a 3.0-inch storm event will cause overflow of the facility, so it is suggested that the feedlot should be designed and built to the 100-year/24-hour storm event. The 3.0-inch storm event is extremely unlikely, considering that the 100-year/24-hour storm event in this locale is 2.6 inches.

In reference to the site map comment in your letter, it was submitted to the WQD with the NPDES permit application, as required by the application form, Short Form A. For new NPDES CAFO operations, a nutrient management plan must be submitted with the application. Typically, the NRCS assists the operator in developing the nutrient management plan. Therefore, the language in the Statement of Basis referring to the report as being "under review" has been removed.

WY0022144, Gross Wilkinson Ranch

Concerns were expressed about:

- *why the permittee is granted 180 days to submit a nutrient management plan instead of submitting*

it prior to the permit being issued

- the design capacity of the facility

This facility is an existing CAFO in which the permit is being renewed. The previous permit did not contain these reporting requirements which have now been incorporated into the renewed permit as a compliance schedule. The permittee was given 180 days to submit the report that will summarize the design capacity of all structural and non-structural controls and the nutrient management plan. Section 5 of Chapter 1, Wyoming Water Quality Rules and Regulations, allows the use of compliance schedules to provide the permittee a window-of-opportunity to comply with new permit conditions and standards.

The federal regulations associated with the Concentrated Animal Feeding Operation (CAFO) Point Source Category (40 CFR Part 412), require that feedlots must be designed, constructed and operated to contain all process wastewaters generated from the site plus the runoff from a 25-year/24-hour storm event.

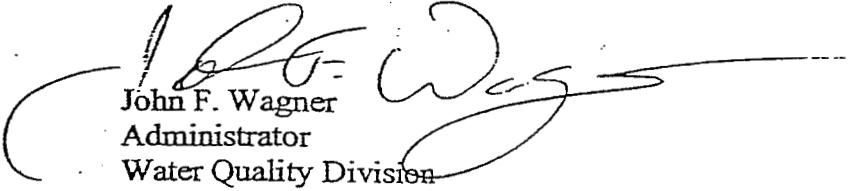
REQUEST FOR PUBLIC HEARING

Finally, your letter requested that a public hearing be held before the Environmental Quality Council (Council), so that the merits of the concerns raised in letters submitted by the WOC could be heard before the agency acts on the draft permits. In accordance with Section 14.a. the Administrator may request the Council to hold a public hearing if there is significant public interest. Such a hearing was requested by the Administrator in the fall of 2000 and a hearing was held by the Council on January 3, 2001. This hearing addressed many of the same procedural, legal and technical issues contained in the WOC objections. This hearing was also held because there were a growing number of other public comments on draft permits. Since there does not seem to be other wide spread public concern with the legal and environmental issues associated with issuing these draft permits and many of these same issues were previously heard before the Council, I have concluded that another hearing before the Council before action by the agency on these permits would add little to the public record and is unwarranted. Certainly WOC has the right to appeal the agency's final action on these permits to the Council. WOC's request for a public hearing before a final decision is made on the permits is denied.

If you wish to file an appeal to the issuance of these permits, you have the opportunity to do so. Chapter 1 of the "Wyoming Department of Environmental Quality Rules of Practice and Procedure" states that "Unless otherwise provided by these Rules or the Environmental Quality Act, all appeals to Council from final actions of the Administrators or Director shall be made within 60 days of such action."

If you have any additional questions, please contact me at 307-777-7072.

Sincerely,



John F. Wagner
Administrator
Water Quality Division

cc: Todd Parfitt, WQD
✓ Leah Krafft, WQD
Lisa Norton, Yates Petroleum, 105 South 4th Street, Artesia, NM 88210
Eric Felbeck, Williams Production Company, 300 North Works Ave, Gillette, WY 82716
David Keanini, Lance Oil and Gas Co., Inc., 12200 North Pecos St., Denver, CO 80234
Mike Weatherholt, SRW, Inc., P O Box 6710, Sheridan, WY 82801
Paul McElvery, Bill Barrett Corp., 1901 Energy Court, Suite 170, Gillette, WY 82718

JFW/ljk

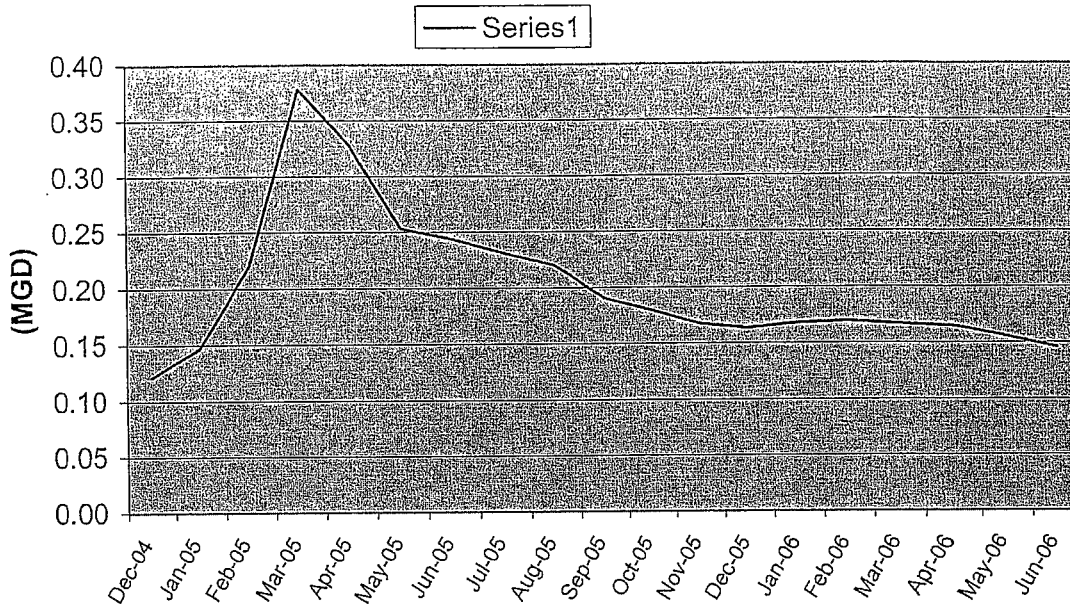
NPDES permits issued April 5, 2004

WY0036510	Major Modification
WY0041718	Renewal
WY0041882	Major Modification
WY0042366	Major Modification
WY0042820	Major Modification
WY0044407	Major Modification
WY0045764	Major Modification
WY0046680	Major Modification
WY0048551	Renewal
WY0049239	Major Modification
WY0049687	Major Modification
WY0049956	Major Modification
WY0050962	New
WY0051217	New
WY0051225	New
WY0051233	New

Exhibit

6

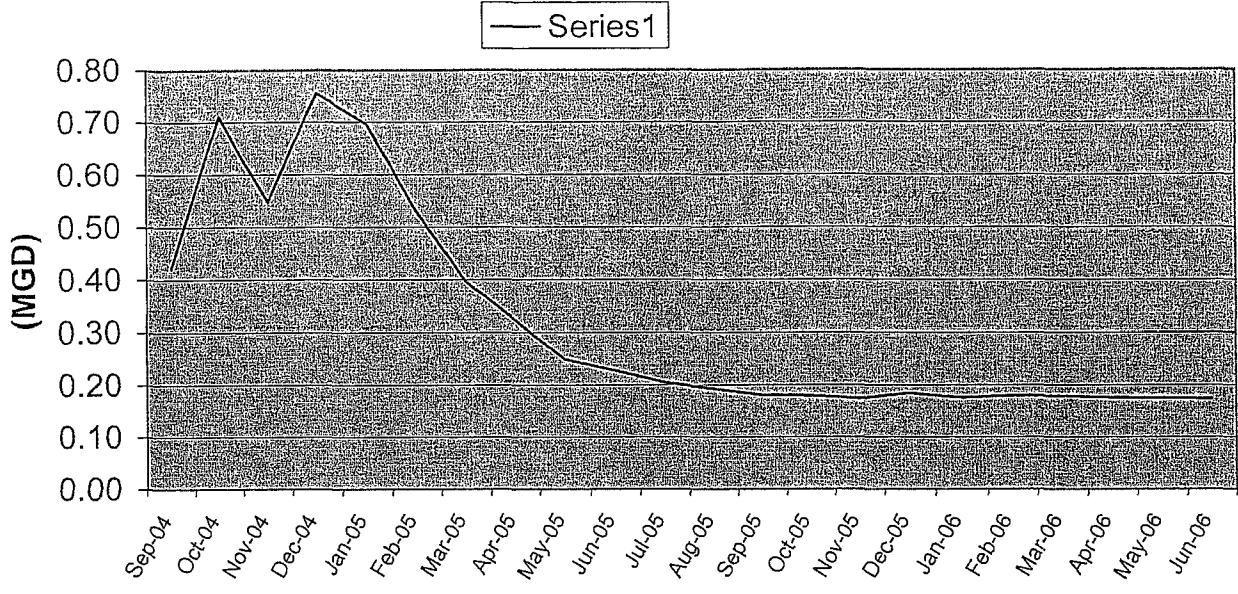
WY0051233 Big Porcupine (50 Wells)
Permitted Flow: 3.4 MGD



EXHIBIT

Month/Year	Flow (MGD)
Dec-04	0.1214
Jan-05	0.1470
Feb-05	0.2192
Mar-05	0.3782
Apr-05	0.3289
May-05	0.2533
Jun-05	0.2439
Jul-05	0.2311
Aug-05	0.2202
Sep-05	0.1905
Oct-05	0.1796
Nov-05	0.1674
Dec-05	0.1632
Jan-06	0.1677
Feb-06	0.1694
Mar-06	0.1668
Apr-06	0.1646
May-06	0.1557
Jun-06	0.1456

WY0051217 Palm Tree
Permitted Flow: 4.4 MGD



Month/Year	Flow (MGD)
Sep-04	0.4210
Oct-04	0.7100
Nov-04	0.5477
Dec-04	0.7551
Jan-05	0.6963
Feb-05	0.5295
Mar-05	0.3963
Apr-05	0.3226
May-05	0.2493
Jun-05	0.2278
Jul-05	0.2047
Aug-05	0.1923
Sep-05	0.1807
Oct-05	0.1794
Nov-05	0.1739
Dec-05	0.1841
Jan-06	0.1755
Feb-06	0.1794
Mar-06	0.1785
Apr-06	0.1752
May-06	0.1742
Jun-06	0.1735

Exhibit

7



Water Resources National Water Information System: Web Interface Data Category: Water Quality Geographic Area: United States

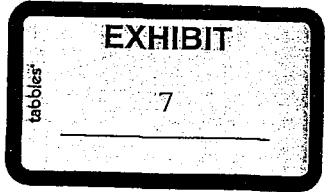
Water Quality Samples for the Nation

USGS 06365900 CHEYENNE RIVER NR DULL CENTER WY

Available data for this site Water-Quality: Field/Lab samples

Converse County, Wyoming Hydrologic Unit Code 10120103 Latitude 43°25'45", Longitude 105°02'43" NAD27 Drainage area 1,527.00 square miles	Output formats
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	<input type="button" value="Inventory of available water-quality data"/>
	<input type="button" value="Inventory of water-quality data with retrieval"/>
	<input type="button" value="Tab-separated ASCII file, serial order"/>
	<input type="button" value="Tab-separated ASCII file, wide order"/>
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Sample Datetime	Sample Medium Code	Instantaneous discharge, cfs (00061)	Specific conductance, wat unf 25 degC (00095)	pH, water, unfltrd field, std units (00400)	Sodium adsorption ratio (00931)
1975-11-04 13:45	9	E .20	3200	8.1	4
1975-12-02 15:00	9	E .50	3000	7.8	4
1976-01-06 14:00	9	.00			
1976-02-03 14:00	9	E .40	3200	7.7	4
1976-05-04 13:45	9	.18	3500	8.0	4
1976-05-23 13:50	9	41			
1976-05-31 12:05	9	283			
1976-06-09 15:15	9	4.0	2000	8.1	3
1976-07-08 11:30	9	5.7	1500	7.9	2
1976-08-03 16:00	9	.43	3000	8.0	4
1976-09-01 10:30	9	.02	3000	8.1	4
1976-09-28 15:00	9	.11	3200	7.9	4



1976-10-05 16:40	9	.07			
1976-11-05 09:30	9	.07	3000	7.9	4
1976-12-08 11:00	9	.12	3000	7.6	4
1977-02-04 15:30	9	.04	3500	7.8	5
1977-03-09 13:40	9	.20			
1977-03-31 11:15	9	.13	3200	7.7	4
1977-04-28 11:00	9	.17	3200	8.0	4
1977-05-25 15:00	9	.07	3200	8.2	4
1977-07-07 10:15	9	.05	3500	8.2	5
1977-08-02 16:30	9	.07	2800	8.2	4
1977-08-30 15:30	9	.07	910	8.3	2
1977-09-29 10:30	9	.01	1500	8.2	3
1977-11-09 10:30	9	.10	2600	8.0	4
1977-12-06 11:00	9	.05			
1977-12-30 14:30	9	.18	3500	7.5	4
1978-02-01 10:30	9	.07	2800	7.3	4
1978-02-28 12:15	9	.30			
1978-03-11 15:45	9	131			
1978-03-13 16:20	9	74			
1978-03-23 15:35	9	26			
1978-03-28 14:30	9	14	1600	8.7	3
1978-04-05 11:00	9	4.9			
1978-05-08 18:40	9	313			
1978-05-10 10:00	9	128	910	7.9	2
1978-05-15 17:00	9	39	1400	8.3	2
1978-05-17 15:30	9	2030			
1978-06-06 15:30	9	36	2100	8.1	3
1978-06-16 13:45	9	8.9			
1978-07-19 09:15	9	10	3500	7.8	4
1978-07-21 13:15	9	1730			
1978-08-07 13:00	9	7.5			
1978-08-16 10:00	9	28	930	7.8	2

1978-08-30 13:00	9	.76	2500		
1978-09-13 10:30	9	.07	3400	8.0	4
1978-10-11 10:30	9	.26	3600	8.1	4
1978-10-15 15:15	9	.17	3700		
1978-11-07 14:10	9	.26			
1978-11-08 10:45	9	.26	3500	8.0	4

Sample Datetime	Sample Medium Code	Instantaneous discharge, cfs (00061)	Specific conductance, wat unf uS/cm 25 degC (00095)	pH, water, unfltrd field, std units (00400)	Sodium adsorption ratio (00931)
1979-03-13 14:00	9	43	1900	8.1	3
1979-04-14 10:20	9	30	2050	8.3	3
1979-05-07 12:20	9	10			
1979-05-09 12:00	9	14	1900	8.1	3
1979-06-09 10:30	9	1.4	2700	7.6	4
1979-06-11 12:00	9	.50			
1979-06-28 21:05	9	71			
1979-06-29 06:15	9	36			
1979-07-10 11:15	9	10			
1979-07-18 10:30	9	.37	2600	8.0	4
1979-08-08 13:15	9	3.0			
1979-08-14 12:30	9	3.0	1280	8.1	2
1979-09-05 13:30	9	.26			
1979-09-11 12:10	9	.17	2500	8.2	3
1979-10-03 12:30	9	.20	2960	8.3	4
1979-10-10 11:40	9		3200	8.2	4
1979-11-13 13:15	9	.24	2920	8.0	4
1979-12-05 09:50	9	.26	3160	7.7	5
1980-02-07 11:15	9	.18	3350	7.5	4
1980-03-14 10:45	9	9.4	1950	7.9	3

1980-04-09 10:45	9	7.8	2360	8.2	3
1980-04-09 15:00	9		3000	8.2	
1980-05-06 14:00	9		3800	8.1	
1980-05-09 11:35	9	3.4	2670	8.2	4
1980-06-04 14:30	9		2330	8.4	4
1980-06-11 13:15	9		2200	7.6	4
1980-07-09 09:15	9	.14	3150	7.9	4
1980-08-13 09:15	9	.09	2930	8.2	4
1980-08-19 18:30	9	40	650	7.9	2
1980-09-24 10:25	9	.17	2900	8.3	4
1980-09-27 11:15	9		2850	8.0	
1980-10-23 11:30	9	.23	3120	8.3	4
1980-11-18 08:00	9	.18	3580	7.3	4
1980-12-17 10:35	9	.17	3030	8.2	4
1981-01-13 09:30	9	.11	3220	7.3	4
1981-02-19 14:55	9	.56	2140	8.2	3
1981-02-26 15:25	9	.12	2900	8.2	
1981-03-11 15:30	9		3200	8.4	
1981-03-15 12:15	9	.18	3100	7.6	4
1981-04-15 09:45	9	.12	3190	8.2	4
1981-05-19 18:00	9	.66	3000	8.4	4
1981-06-17 10:45	9	.16	3130	8.2	4
1981-07-08 10:45	9	.04	3420	8.1	4
1981-08-11 16:05	9	19	840	8.3	2
1981-09-09 11:00	9	.10	2650	8.2	4
1987-01-05 14:10	9	.26	3400	7.9	
1987-02-12 13:00	9	3.1	2630	8.0	
1987-02-12 14:30	9	5.8			
1987-03-05 15:30	9	121	950	8.0	
1987-03-06 18:10	9	112			

			Specif.	pH,	
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Sample Datetime	Sample Medium Code	Instantaneous discharge, cfs (00061)	conductance, wat unf uS/cm 25 degC (00095)	water, unfltrd field, std units (00400)	Sodium adsorption ratio (00931)
1987-04-03 14:15	9	20	2060	8.3	
1987-05-04 12:40	9	31	1290	8.2	
1987-05-18 11:45	9	37	930	7.9	
1987-05-27 12:30	9	45	840	8.0	
1987-06-25 13:00	9	2.6	2800	8.2	
1987-07-23 10:45	9	.11	3380	8.1	
1987-08-27 12:00	9	.13	2720	8.2	
1987-10-01 18:25	9	.06			
2004-07-13 09:50	9	.01	4880	7.1	
2004-08-09 09:45	9	.01	4740	7.3	
2004-09-07 08:45	9	.03	4830	7.4	
2004-10-05 08:45	9	.01	4780	7.3	
2004-11-03 08:05	9	.05	3690	7.5	
2004-12-07 08:15	9	.03	3990	7.5	
2005-01-11 08:30	9	.04	3770	7.4	
2005-02-08 08:40	9	.05	3620	7.7	
2005-03-07 08:45	9	.02	3870	7.9	
2005-04-13 08:45	9	.04	4020	7.6	
2005-05-19 15:35	9	.05	3270	8.0	
2005-06-06 09:00	9	.03	3580	7.7	
2005-06-27 10:45	9	.04	3070	8.1	
2005-07-12 08:30	9	.00			
2005-08-09 08:15	9	.00			
2005-09-07 08:20	9	.00			

Water Quality Remark Code	Description
E	Estimated value

[Questions about data?](#)

[Feedback on this web site](#)

Water Quality Samples for USA: Sample Data

[Top](#)

[Explanation of terms](#)

<http://waterdata.usgs.gov/nwis/qwdata?>

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